

status reports. The goal of counsel and the Court was to deal first with issues that can be ruled on as a matter of law for the sake of judicial economy. It is apparent that the Motions for Partial Summary Judgment filed on March 22, 2005 seek to accomplish precisely that. Boggs acknowledges that the Plaintiffs' Motion "does not raise anything new". Hence, while the Motion might have been filed earlier, it is hard to reason why the Motion should now be stricken, since neither the letter nor the spirit of any law, rule or scheduling order has been violated.

Plaintiffs have no objection to the alternative relief sought by Defendant, Boggs, asking that Boggs' response time be stayed until after the Court decides Boggs' Motion to strike.

Respectfully submitted,

/S/ William P. Schroeder

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CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: E. David Marshall at edavidm@iglou.com; Gayle Benner McGrath at gmcgrath@wyattfirm.com; and Thomas Robert Schuck at schuck@taftlaw.com and **I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:**

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/s/ William P. Schroeder

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